

Baker & Hostetler LLP

45 Rockefeller Plaza
New York, NY 10111
Telephone: (212) 589-4200
Facsimile: (212) 589-4201
David J. Sheehan
Nicholas J. Cremona
Christa C. Turner

*Attorneys for Irving H. Picard, Trustee for the
Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC
and for the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

FRANK A. PETITO, d/b/a THE PETITO
INVESTMENT GROUP, FRANK A. PETITO,
individually, and MIGS WOODSIDE,

Defendants.

Adv. Pro. No. 10-05172 SMB)

**NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE OF DEFENDANTS FRANK A.
PETITO D/B/A THE PETITO INVESTMENT GROUP AND FRANK A. PETITO FROM THE
ADVERSARY PROCEEDING**

Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff

Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.*, and the substantively consolidated estate of Bernard L. Madoff individually, by and through his counsel Baker & Hostetler LLP, and pursuant to Rule 7041(a)(1)(A)(i) of the Federal Rules of Bankruptcy Procedure (making Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure applicable in adversary proceedings), hereby dismisses the defendants, Frank A. Petito d/b/a The Petito Investment Group and Frank A. Petito, individually (the “Defendants”), from the above-captioned adversary proceeding and dismisses the Trustee’s claim against the Defendants without prejudice. The Clerk is hereby directed to amend the caption to remove Frank A. Petito d/b/a The Petito Investment Group and Frank A. Petito individually as reflected on Exhibit “A” to this Stipulation.

Pursuant to Bankruptcy Rule 7041(a)(1)(A)(i), the Trustee is permitted to voluntarily dismiss this adversary proceeding without further order of the Court by filing this Notice of Dismissal as, as of the date hereof, no opposing party has served either an answer or a motion for summary judgment.

Date: December 9, 2014
New York, New York

BAKER & HOSTETLER LLP

By: s/ Nicholas J. Cremona
45 Rockefeller Plaza
New York, New York 10111
Telephone: (212) 589-4200
Facsimile: (212) 589-4201
David J. Sheehan
Email: dsheehan@bakerlaw.com
Nicholas J. Cremona
Email: ncremona@bakerlaw.com
Christa C. Turner
Email: cturner@bakerlaw.com

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